

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

NATALIE WEISSBROD, Individually and
on Behalf of All Other Persons Similarly
Situated,

Case No. 3:09-CV-30149-KPN

Plaintiffs,

**STIPULATION OF CONSOLIDATION
OF ARBITRATION ACTIONS**

v.

SILVERLEAF RESORTS, INC.,

Defendant.

The parties through their undersigned counsel hereby stipulate and agree as follows:

1. The matter of *Clemo-Wenger v. Silverleaf Resorts, Inc.*, AAA No. 11 160 201 10 (“*Clemo-Wenger*”) shall be consolidated with the matter of *Natalie Weissbrod v. Silverleaf Resorts, Inc.*, JAMS Reference No. 1400012516 (“*Weissbrod*”), resulting in one matter pending at JAMS.
2. The claimants shall retain their earliest opt-in date in either the *Clemo-Wenger* or *Weissbrod* matter.
3. Mediation as a prerequisite for arbitration for all *Clemo-Wenger* claimants shall be deemed completed for purposes of this proceeding.
4. The arbitrator selected by the parties through the JAMS selection process and duly appointed by JAMS shall continue as the Arbitrator in the consolidated proceeding, unless otherwise agreed to by the parties.
5. The *Clemo-Wenger* matter shall be withdrawn by counsel for the *Clemo-Wenger* claimants after the Court approves this Stipulation, and the AAA shall close the *Clemo-Wenger* action.

6. Natalie Weissbrod, Jason Wenger, and Albert Clemo shall remain as the plaintiffs' designated representatives of the potential class(es). However, Silverleaf does not concede that they are appropriate class representatives. Silverleaf, further, reserves all of the rights existing prior to the consolidation to challenge the designated class representatives as proper class representatives.

7. Claimants may move in the consolidated arbitration proceedings to amend the Complaint to add William Duffy or others as additional representative claimants; provided, however, Silverleaf reserves the right to file objections to such amendment or any other amendments that may be sought.

Stipulated to:

Dated: August 23, 2010

The Plaintiffs,
NATALIE WEISSBROD, Individually and
on Behalf of All Other Persons Similarly
Situated,
By Their Attorneys:

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Dated: August 23, 2010

The Defendant,
SILVERLEAF RESORTS, INC.,
By Its Attorneys:

/s/ Jeffrey E. Poindexter

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Michael A. Ponsor, 9.15.10

Michael A. Ponsor,
United States District Court Judge